

medicinal agents effective in the treatment or prevention of the diseases and conditions named therein.

On September 6, 1929, the Nose-Ions Co., New York, N. Y., having appeared as claimant for the property, judgment was entered finding the product misbranded and ordering its condemnation and forfeiture, and it was further ordered by the court that the said product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it be emptied into an unlabeled box or boxes, or the labels, circulars, brandings, cartons, and all printed matter accompanying or used in connection with or appearing on the containers destroyed, and should not be disposed of contrary to the Federal food and drugs act.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16777. Adulteration and misbranding of fluidextract of ergot. U. S. v. John Wyeth & Bro. (Inc.). Plea of nolo contendere. Fine, \$25.**  
(F. & D. No. 23725. I. S. Nos. 21827-x, 24458-x, 24539-x, 24540-x, 24541-x.)

On September 18, 1929, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Wyeth & Bro. (Inc.), a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the food and drugs act, in various consignments, on or about April 9, May 5, May 18, and May 23, 1928, respectively, from the State of Pennsylvania, in part into the State of New York and in part into the State of Massachusetts, of quantities of fluidextract of ergot which was adulterated and misbranded. The article was labeled in part: "Physiologically Standardized Fluid Extract Ergot U. S. P. 10th Revision—Assayed Alcohol, 42% The Sclerotium of Claviceps Purpurea Average Dose—30 minims (2cc.) \* \* \* John Wyeth & Brother Incorporated, Philadelphia."

Examinations of samples of the article by this department showed that its physiological potency was one-half of that required by the United States Pharmacopoeia.

It was alleged in the information that the article was adulterated in that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of quality, strength, and purity as determined by the test laid down in said pharmacopoeia official at the time of investigation, in that the said article required more than 0.5 cubic centimeter, to wit, 1 cubic centimeter, when administered by intramuscular injection to single comb white leghorn cocks for each kilogram of body weight of cock to produce a darkening of the comb corresponding in intensity to that caused by 0.5 cubic centimeter of the standard fluidextract of ergot prepared as directed under ergota, whereas said pharmacopoeia provides that fluidextract of ergot administered by intramuscular injection to single comb white leghorn cocks in doses not exceeding 0.5 cubic centimeter for each kilogram of body weight of cock shall produce a darkening of the comb corresponding in intensity to that caused by the same dose of the standard fluidextract of ergot prepared as directed under ergota; and the standard of the strength, quality, and purity of the article was not declared on the container thereof.

Misbranding was alleged for the reason that the statement, to wit, "Physiologically Standardized Fluid Extract Ergot U. S. P. 10th Revision," was false and misleading in that the said statement represented that the article was fluidextract of ergot which conformed to the standard laid down in the United States Pharmacopoeia, 10th revision, whereas it was not.

On September 19, 1929, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$25.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**16778. Adulteration and misbranding of Mosso's oil of salt. U. S. v. 2½ Dozen Large-Sized Bottles, et al., of Mosso's Oil of Salt. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23652. I. S. Nos. 08951, 08952. S. No. 1893.)**

On April 23, 1929, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 2½ dozen large-sized bottles, 8 dozen medium-sized bottles, and 15½ dozen small-sized bottles of Mosso's oil of salt at Cincinnati, Ohio, alleging that the article had been shipped by the C. A. Mosso Laboratories, from Chicago, Ill., in various consignments, on or about May 7, 1928, January 24,